

JENKINS  
WILSON  
& TAYLOR

patent attorneys

January 15, 2004



RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

\*CHRIS PERKINS, PH.D.

\*\*JAMES DALY IV, PH.D.

JEFFREY CHILDERS, PH.D.

OF COUNSEL  
SOROJINI BISWAS

\*LICENSED ONLY IN CA

\*\*LICENSED ONLY IN KY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004.

*Patty Wilson*

Patty Wilson

Date of Signature: January 15, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/689,006 for  
PHAGE ANTIBODIES TO RADIATION-INDUCIBLE  
NEOANTIGENS  
Our Ref. No. 1242/72

Sir:

Please find enclosed in connection with the subject U.S. patent application the following documents:

1. Information Disclosure Statement (2 pages);
2. Form PTO-1449 (4 pages) in duplicate;
3. Copies of cited references (21 references); and
4. A return-receipt postcard to be returned to us with the U.S. Patent and Trademark Office filing stamp thereon.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. **50-0426**.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw  
Enclosures  
Customer No: 25297



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004

PATENT

Patty Wilson  
Patty Wilson

Date of Signature January 15, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hallahan et al.

Group Art Unit: 1636

**Serial No.: 10/689,006**

Examiner: Unknown

Filed: October 20, 2003

Docket No. 1242/72

Confirmation No.: 3797

For: PHAGE ANTIBODIES TO RADIATION-INDUCIBLE NEOANTIGENS

\*\*\*\*\*

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97, and 1.98, applicants' undersigned attorney brings to the attention of the Patent and Trademark Office the documents listed on the attached Form PTO-1449. Copies of the references as well as Form PTO-1449 are attached hereto. This is not to be construed as a representation that a search has been made or that a reference is relevant merely because cited.

Copies of the cited documents 1-19 and 41-44 are of record in the file history of U.S. Patent Application Serial No. 09/914,605 filed on August 30, 2001. The above-captioned application claims priority to U.S. Patent Application Serial No. 09/914,605 under 35 U.S.C. § 120, and as per 37 C.F.R. § 1.98, no copies of these cited documents are believed to be required.

Early passage of the subject application to issue is earnestly solicited.

Serial No.: 10/689,006

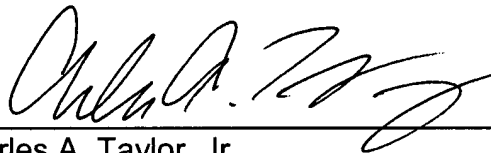
Although it is believed that no fee is due, the Commissioner is hereby authorized to charge any fees associated with the filing of this Information Disclosure Statement to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 1/15/2003

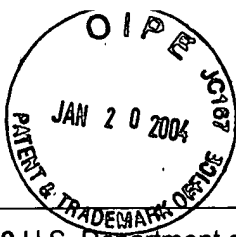
By:



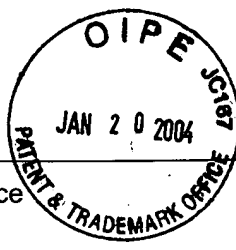
Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw

Customer No: 25297



<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office				Attorney Docket No.: 1242/72		Serial No.: 10/689,006	
List of Documents Cited by Applicant							
				Applicant(s): Hallahan et al.			
				Filing Date: October 20, 2003		Group: 1636	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial	No.	Document Number	Date	Name	Class	Subclass	Filing date if Appropriate
	1.	4,619,823	10/28/1986	Yokoyama et al.	424	1.1	
	2.	4,515,165	5/7/1985	Carroll			
	3.	4,670,386	6/2/1987	Sugaar			
	4.	5,093,104	3/3/1992	Kaminsky	424	1.1	
	5.	5,292,524	3/8/1994	Male et al.			
	6.	5,328,840	7/12/1994	Coller			
	7.	5,334,369	8/2/1994	Halushka et al.			
	8.	5,382,680	1/17/1995	Abraham et al.			
	9.	5,516,881	5/14/1996	Lee et al.			
	10.	5,693,627	12/2/1997	Schieven			
	11.	5,759,542	6/2/1998	Gurewich			
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Name of Patentee or Applicant		Translation Yes   No
	12.	229718	1/14/1987	EPO	Amersham Int'l		
	13.	WO9625947	8/29/1996	PCT	Arch Development Corp.		



**FORM PTO-1449** U.S. Department of Commerce  
Patent and Trademark Office

Attorney Docket No.: 1242/72

Serial No.:  
10/689,006

List of Documents Cited by Applicant

Applicant(s): Hallahan et al.

Filing Date: October 20, 2003

Group: 1636

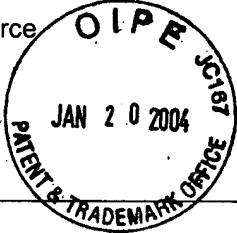
	14.	WO9320229	10/14/1993	PCT	Genentech, Inc.	
	15.	WO8605693	10/9/1986	PCT	Scripps Clinic and Research Corp.	
	16.	WO9533496	12/14/1995	PCT	Diatech, Inc.	
	17.	WO9306835	4/15/1993	PCT	Dana-Farber Cancer Institute, Inc.	
	18.	2621311	11/18/1976	DE	Verfahren zum Karkieren von Proteinen mit Technetium 99	No
	19.	WO93/14791	8/5/1993	PCT	Cryopharm Corp.	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	20.	Arap et al., <i>Cancer Treatment by Targeted Drug Delivery to Tumor Vasculature in a Mouse Model</i> , <u>Science</u> <b>279</b> :377-380 (January 16, 1998).				
	21.	Bird et al., <i>Single-Chain Antigen-Binding Proteins</i> , <u>Science</u> <b>242</b> :423-426 (October 21, 1988).				
	22.	Edmonds, <i>Antibody-Targeted Chemotherapy with Mylotarg Shows Promise for Many Adults with Deadly Form of Leukemia</i> , <u>American Society of Clinical Oncology Meeting in New Orleans</u> (May 21, 2000).				
	23.	Ellerby et al, <i>Anti-cancer activity of targeted pro-apoptotic peptides</i> , <u>Nature Medicine</u> <b>5(9)</b> :1032-1038 (September 1999).				
	24.	Fox and Harris, <i>Markers of tumor angiogenesis: clinical applications in prognosis and anti-angiogenic therapy</i> , <u>Investigational New Drugs</u> <b>15</b> :15-28 (1997).				
	25.	Hallahan et al., <i>Spatial and temporal control of gene therapy using ionizing radiation</i> , <u>Nat Med.</u> <b>1(8)</b> :786-791 (August 1995) (ABSTRACT).				
	26.	Hallahan, <i>Radiation-Mediated Gene Expression in the Pathogenesis of the Clinical Radiation Response</i> , <u>Semin Radiat Oncol.</u> <b>6(4)</b> :250-267 (October 1996) (ABSTRACT).				
	27.	Hallahan et al., <i>Radiation-Mediated Control of Drug Delivery</i> , <u>Am J. Clin Oncol.</u> <b>24(5)</b> :473-480 (October 2001) (ABSTRACT).				
	28.	Hallahan et al., <i>X-ray-induced P-selectin localization to the lumen of tumor blood vessels</i> , <u>Cancer Res.</u> <b>58(2)</b> :5216-5220 (November 15, 1998) (ABSTRACT).				

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No.: 1242/72	Serial No.: 10/689,006
List of Documents Cited by Applicant			
		Applicant(s): Hallahan et al.	
		Filing Date: October 20, 2003	Group: 1636
29.	Hellström et al., <i>Immunoconjugates and immunotoxins for therapy of solid tumors</i> , <u>Cancer Chemother Pharmacol.</u> <b>38(Suppl.):</b> S35-S36 (1996).		
30.	Huston et al., <i>Protein engineering of antibody binding sites: Recovery of specific activity in an anti-digoxin single-chain Fv analogue produced in Escherichia coli</i> , <u>Proc. Natl. Acad. Sci. USA</u> <b>85</b> :5879-5883 (August 1988).		
31.	Llovet et al., <i>Arterial embolisation or chemoembolisation versus symptomatic treatment in patients with unresectable hepatocellular carcinoma: a randomized controlled trial</i> , <u>The Lancet</u> <b>359</b> :1734-1739 (May 18, 2002).		
32.	Martin et al., <i>Targeted Retroviral Infection of Tumor Cells by Receptor Cooperation</i> , <u>J. of Virology</u> <b>77(4)</b> :2753-2756 (February 2003).		
33.	Molema et al., <i>Tumor Vascular Endothelium: Barrier or Target in Tumor Directed Drug Delivery and Immunotherapy</i> , <u>Pharmaceutical Research</u> <b>14(1)</b> :2-10 (1997).		
34.	O'Brien et al., <i>Antibody Phage Display: Methods and Protocols</i> , <u>E-STREAMS</u> <b>5(12)</b> :401 (December 2002) ( <a href="http://www.e-streams.com/es0512/es0512_2216.html">www.e-streams.com/es0512/es0512_2216.html</a> ).		
35.	Pastan, <i>Targeted therapy of cancer with recombinant immunotoxins</i> , <u>Biochimica et Biophysica Acta</u> <b>1333</b> :C1-C6 (1997).		
36.	Mechanism of Action, <a href="http://www.herceptin.com/herceptin/physician/j_profile/mechanism.htm">www.herceptin.com/herceptin/physician/j_profile/mechanism.htm</a> Genentech, 3 pages (August 6, 2003).		
37.	Mechanism of Action: Targeted Therapy Provides a Unique Profile of Efficacy, <a href="http://www.rituxan.com/rituxan/professional/e_product_info/mode_of_action.htm">www.rituxan.com/rituxan/professional/e_product_info/mode_of_action.htm</a> , 3 pages (August 8, 2003).		
38.	Campath® Fact Sheet, <a href="http://www.campath.com/medpros/factsheet.html">www.campath.com/medpros/factsheet.html</a> , 3 pages, (August 8, 2003).		
39.	Package Insert, HUMIRA™ (adalimumab), Abbott Laboratories <a href="http://www.fda.gov/cber/label/adalabb123102LB.htm">www.fda.gov/cber/label/adalabb123102LB.htm</a> , 13 pages (August 8, 2003).		
40.	Zevalin, First in Radioimmunotherapy: Mechanism of action <a href="http://www.zevalin.com/html/HealthcareProfessionals/ProductInformation/productInform...">www.zevalin.com/html/HealthcareProfessionals/ProductInformation/productInform...</a> , 1 page (August 8, 2003).		
41.	Hirata et al., <i>Artificial Metastases and Decrease of Fibrinolysis in the Nude Mouse Lung After Hemithoracic Irradiation</i> , <u>Clin. Expl. Metastasis</u> , <b>2(4)</b> , p. 311-319, (1984).		
42.	Hirata, <i>Fate of Intravenously Injected Human Tumor Cells in the Lung of Nude Mice Following Whole-Body X-Irradiation</i> , <u>Invasion Metastasis</u> , p. 61-70, (1985).		



<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office			Attorney Docket No.: 1242/72	Serial No.: 10/689,006
List of Documents Cited by Applicant			Applicant(s): Hallahan et al.	
			Filing Date: October 20, 2003	Group: 1636
	43.	Strattonet al., <i>Imaging Arterial Thrombosis: Comparison of Technetium-99m-Labeled Monoclonal Antifibrin Antibodies and Indium-111-Platelets</i> , <u>J. Nucl. Med.</u> , p. 1731-1737, (1994).		
	44.	Weichselbaum et al., <i>Gene Therapy Targeted by Radiation Preferentially Radiosensitizes Tumor Cells</i> , <u>Cancer Research</u> , p. 4266-4269, (August 15, 1994).		

EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

\*Examiner Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.